

Elliott Greenleaf

A Professional Corporation

925 Harvest Drive - Suite 300
Blue Bell, Pennsylvania 19422
Phone: (215) 977-1000 • Fax: (215) 977-1099
www.elliottgreenleaf.com

KYLE M. ELLIOTT, ESQUIRE
Direct 215.977.1043
KME@elliottgreenleaf.com

September 25, 2019

Via CM/ECF

The Hon. John E. Jones III
U.S. District Court, Middle District of PA
228 Walnut Street
P.O. Box 983
Harrisburg, PA 17101

Re: *Adam Dobson v. Milton Hershey School, et al.*
Civil Action No. 1:16-cv-1958-JEJ (M.D. Pa.)

Dear Judge Jones:

We represent Defendants Milton Hershey School, and Hershey Trust Company (collectively, “Defendants”) in the above-referenced action. Pursuant to ¶ 2.2 of the Court’s Standard Practice Order (Doc. 161), and with the concurrence of counsel for Plaintiff Adam Dobson (“Plaintiff”), Defendants respectfully request that the Court enter the attached proposed Order directing Plaintiff’s sister, Elizabeth Kochis (“Ms. Kochis”), to comply with a Subpoena to Testify at a Deposition in a Civil Action in the above-referenced matter. Ms. Kochis has been served with a deposition subpoena on two separate occasions, but has twice failed to appear, thereby subjecting the parties and all counsel to unnecessary expense, costs, and delay.

On July 12, 2019, Defendants issued a notice of deposition, deposition subpoena, and witness fee check to Ms. Kochis, who was served on July 23, 2019. (Ex. “1”, Subp. with Aff. of Serv.) On July 25, 2019, the parties’ counsel appeared for Ms. Kochis’s deposition, but she did not. (Ex. “2”, Jul. 25, 2019, Dep. Trans.)

Next, on August 30, 2019, Defendants served another deposition subpoena on Ms. Kochis, scheduling her deposition for September 11, 2019. (Ex. “3”, Subp.

with Aff. of Serv.) Again, on September 11, 2019, Ms. Kochis did not appear for her deposition. (Ex. “4”, Sept. 11, 2019, Dep. Trans.) Notably, Ms. Kochis failed to contact the parties at any time to advise that she was unavailable, or needed to re-schedule either of her scheduled depositions.

Accordingly, Defendants respectfully request that the Court enter the attached, proposed Order directing Ms. Kochis to appear for her deposition on October 24, 2019. *See* Fed. R. Civ. P. 45(g).

Thank you for your attention and consideration.

Respectfully,

/s/ Kyle M. Elliott

KYLE M. ELLIOTT

KME/pam

Enclosures

cc: Jarad W. Handelman, Esquire
Matthew B. Weisberg, Esquire